

JUL 23 2007**BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE****RESPONSE TO OFFICE ACTION DATED 3/21/2007**

The Configurable Eyewear System evolved from protective safety glasses with bifocals that were annoying by causing the eyes to get out of focus while working with small wires and other tiny telephone equipment. Claim 46 is the most important claim, the is a new and useful improvement from all of the prior art, since the patent is intended for members of the workforce, and it also could be used with common eyeglasses. The USPTO has failed to produce a patent with all of the functions in claim 46 and none of the prior patents cited document all of the following uses: sunglasses, welder's eyewear, motorcycle rider eyewear, safety eyewear, skydiving eyewear, airplane pilot eyewear, deep sea diving eyewear, gas mask eyewear, hazardous materials eyewear, 3-d glasses, costumes, masks, goggles, hoods, UV tanning eyewear, racecar driver eyewear, astronaut eyewear, sports eyewear, hoods and helmets. Karasawa, Erhard, Lin, Bailey, Archambault, Tassier, and Hirano made inventions that seem to be intended for the common everyday use as eyeglasses and not as a vital function in an unusual or adverse environment that uses specialized headwear. Hirano's invention, JP 7-159733, is challenged as being defective and drastically different; the lenses switch from the right eye to the left eye when they are inverted.

Under Patricia Wenger's prosecution, it was elected to pursue the circular lens configurable eyewear system. The claims that are not being used in this immediate action are intended to be used in a divisional and/or future continuation-in-part patent that are intended to be filed. The claims that are not going to be used in this patent are to be cancelled with prejudice so that they could be cited in the upcoming patent filings. Excluding the claims subjected to the Hirano's invention, the minimal following claims are intended to be claimed: